

# Exhibit 2

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

DON GIBSON, LAUREN CRISS, )  
JOHN MEINERS, and DANIEL UMPA, )  
individually and on behalf of all others )  
similarly situated, )  
Plaintiffs, )  
v. ) Case No. 4:23-cv-00788-SRB  
NATIONAL ASSOCIATION OF ) [Consolidated with 4:23-cv-00945-SRB]  
REALTORS, et al., )  
Defendants. )

**DECLARATION OF MICHAEL S. KETCHMARK  
IN SUPPORT OF CLASS COUNSEL'S MOTION  
FOR ATTORNEYS' FEES, COSTS, EXPENSES AND SERVICE AWARDS**

I, Michael S. Ketchmark, hereby declare as follows:

1. I am a partner at Ketchmark & McCreight, P.C. in Kansas City, Missouri, and counsel for the Plaintiffs and the Class in the *Burnett* action. I submit this declaration in support of Plaintiffs' Motion for Attorneys' Fees, Expenses and Service Awards. I make this statement of my own personal knowledge, and if called to testify, would testify competently thereto.

2. In my February 29, 2024, declaration, *see* ECF No. 1392-2, I described the role my firm has played in this litigation, my professional background and the background of the principal attorneys working on this matter, and explained the calculation of our firm's attorneys' fees.

3. In my February 29 declaration, my firm reported \$22,709,710 in lodestar in the *Burnett* action.

4. Since then, my firm has continued to work on the *Burnett*, *Gibson*, and *Umpa* matters. Among other things, my firm has worked on post-trial briefing and motions, appellate

briefing, the approval process, pleadings and discovery, and participated in settlement discussions and mediations with numerous defendants.

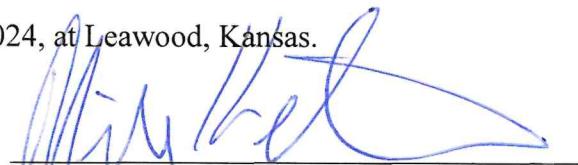
5. The attached Schedule 1 reports the time spent by our firm's personnel in all actions and updated through July 31, 2024. The total for this Schedule is \$25,283,610.

6. In my February 29 declaration, my firm reported \$5,744,767.68 in unreimbursed litigation expenses in the *Burnett* action.

7. The attached Schedule 2 reports our firm's unreimbursed litigation expenses in all actions and updated through July 31, 2024. The total for this Schedule is \$5,839,856.36.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 12th day of August, 2024, at Leawood, Kansas.



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MICHAEL S. KETCHMARK

**SCHEDULE 1**

<b>TIMEKEEPER</b>	<b>POSITION</b>	<b>HOURS</b>	<b>RATE</b>	<b>TOTAL</b>
Michael Ketchmark	Partner	6,986.3	\$1,450	\$10,130,135.00
Scott McCreight	Partner	7032.5	\$1,350	\$9,493,875.00
Ben Fadler	Partner	2,328.8	\$1,250	\$2,911,000.00
Steven Ketchmark	Associate	968.0	\$600	\$580,800.00
Dana Hotchkiss	Paralegal	3,808.0	\$300	\$1,142,400.00
Megan Patrick	Paralegal	3,418.0	\$300	\$1,025,400.00
	<b>TOTAL HOURS</b>	<b>24,541.6</b>	<b>TOTAL</b>	<b>\$25,283,610.00</b>

**SCHEDULE 2**

<b>ACTIVITY</b>	<b>TOTAL COST</b>
Class Certification Notice	\$257,561.62
Copy & Print	\$175,833.59
Court Fees	\$403.00
Document Storage, Production & ESI	\$311,861.13
Depositions	\$384,599.91
Experts & Consultants	\$4,124,047.29
Mediation	\$71,173.81
Miscellaneous	\$766.10
Postage	\$10,624.60
Process Service	\$1,138.14
Records & Transcripts	\$138,485.86
Research	\$20,631.08
Travel & Meals	\$301,855.99
Trial	\$40,874.24
<b>TOTAL</b>	<b>\$5,839,856.36</b>